

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**v.**

**DMITRIJ HARDER**

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**Crim. No. 15-1**

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**ORDER**

**AND NOW**, this 29th day of March, 2016, upon consideration of Defendant's Notice to Withdraw Opposition to the Government's Starks Motion (Doc. No. 117), it is hereby **ORDERED** that the Starks hearing currently set for Friday, April 8, 2016 at 9:30 a.m. is **CANCELLED**. It is further **ORDERED** that the Government's Motion to Admit Recorded Phone Calls Pursuant to United States v. Starks is **GRANTED**. (Doc. No. 32.) Upon consideration of the Government's Motion and Defendant's Notice, and pursuant to Local Rule of Criminal Procedure 41.1(c), I find the following as to the Government's Citibank, HSBC, and UBS phone call recordings and accompanying transcripts:

1. The recording device used was capable of accurately recording the conversations;
2. The operator of the recording device was competent
3. The recordings are authentic and correct;
4. There have been no changes in, additions to, or deletions from the tape recordings;
5. The recordings have been properly preserved;
6. The speakers on the tape recordings are properly identified;
7. The conversation was lawfully intercepted; and

8. The transcripts of the tape recordings accurately represent the conversations on the tape recordings and accurately identify the speakers and parties to the tape recorded conversations.

**AND IT IS SO ORDERED**

*/s/ Paul S. Diamond*

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Paul S. Diamond, J.